

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date: 2-15-73 by defendant

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS				
<p>CON-RAD DIVISION OF U.S. INDUSTRIES, INC.</p> <p>Plaintiff,</p> <p>vs.</p> <p>SHOPMEN'S LOCAL 620 OF THE INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL AND ORNAMENTAL IRON WORKERS, AFL-CIO and Its Officers, Agents, Servants, Representatives or Employees, Individually and Collectively and any Person Acting in Concert with Them or Otherwise Participating in Their Aid,</p> <p>Defendants.</p>		<p>For plaintiff:</p> <p>Frank B. Wolfe, III Kothe and Eagleton, Inc. 204 Philtower Bldg. Tulsa, Okla. 74103 584-5182</p> <p>For defendant:</p> <p>Thomas F. Birmingham Beacon Bldg. Tulsa, Okla. 74103 587-7234</p>				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 1-1-73	Clerk	12-29-72 1-4-73	Wolfe C.D.No.30	15.00	15.00	
J.S. 6 mailed 8-1-74	Marshal					
Basis of Action: Injunction Damages in violation of Union Contract to Boys Markets, Inc.	Docket fee					
Action arose at:	Witness fees					
	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-29-72	Complaint, filed. Summons issued. hm	
12-29-72	Motion for temporary restraining order, filed. hm	
12-29-72	Pltf.'s memorandum brief in support of its motion for injunctive relief filed. hm	
12-29-72	Case called for hearing on temporary restraining order. Pltf. rep. by Frank Wolfe and John B. Eagleton, and the Deft. is rep. by Thomas F. Birmingham. Parties agree to waive reporter on condition it will be possible to get a transcript if needed. Deft. moves for continuance until 1-2-73, pltf. objects, and Magistrate overrules Deft.'s motion. Matter taken under advisement. (Dene Barns-U.S.Mag.)v <i>exhibits w/ file</i>	
1-2-73	Report of U.S. Mag. Claudine Barnes, of evidentiary hearing held on 12-29-72, filed. (CSB-Mag.)rm -copies mailed.	
1-2-73	Order overruling pltf.'s motion for TRO without prejudice. (AEB-J)rm	-copies md.
1-3-73	Transcript of hearing on TRO, with exhibits, filed. g	
1-18-73	Motion for Preliminary Injunction and for Consolidation of Hearing on Preliminary Injunction with Trial of the Action, filed by Pltf. v	
1-18-73	Brief in support, filed. v	-order to Judge.
1-23-73	Order, filed, setting Hearing on Motion for Preliminary Injunction and for Consolidation of Hearing on Preliminary Injunction with Trial of the Action; set on 1-30-73, at 10:00 A.M. (AEB-J) filed. v	
1-24-73	U.S. Marshals Return of Service, filed. Served Shpmen's Local 620 of the Intl. Assoc. of Bridge, Structural and Ornamental Iron Workers on 1-22-73, with fees of \$15.12. Served Thomas F. Birmingham, as counsel, in Tulsa, Okla., on 1-19-73, with fee of \$9.00. v	
1-24-73	It is ordered to withdraw the Order filed on 1-23-73, setting Hearing on Motion ofr Preliminary Injunction et al, set for 1-30-73 at 10:00 a.m. (AEB-J) (New Order will be filed) js <i>by me</i>	
1-29-73	<i>Order filed setting</i> Hearing on Motion for Preliminary Injunction and for Consolidation of Hearing on Preliminary Injunction with Trial of the Action on 2-15-73, at 10:00 A.M. Order served. (AEB-J)v <i>Copy of order</i>	
2-5-73	U.S. Marshal's service ret. & filed: order setting hearing on 2-15-73 served on Shopmen's Local 620 of International Assn. of Bridge, Structural & Ornamental Iron Workers by serving Raymond L. Basore, Agt., Tulsa, on 2-1-73. (USM \$6.84)g	
2-7-73	Answer of def., filed. rm	
2-7-73	Counterclaim of defs., filed. rm	
2-12-73	Pltfs' Mot. to Dismiss and Brief in support, filed. r	
2-12-73	Pre-trial hearing held before Law Clerk, Marilyn Culver. Deft. given until 2-21-73 to file response to motion to dismiss counterclaim. Case stricken from hearing on 2-15-73, to be reset. (MC-LC)hm (parties notified of striking)	

Continued

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-15-73 2-21-73	Defendant, Shopmen's Local 620, request for jury trial, filed. ds Deft.s' brief in support of counterclaim, filed. v	
3-13-73	Plaintiff's reply brief, filed. ds	
6-15-73	Petitioner's Mtn. for S.J. on issue of Liability with Brief in Support, filed. jj	
6-15-73	Ordered by the Court that defts. are granted 10 days from this date in which to respond to pltf's Motion for Summary Judgment on Issue of Liability. (AEB-J)jj <i>copy to J</i>	
6-25-73	Defts' Brief to Deny Petitioner's Motion for Summary Judgment, filed. v	
7-31-73	Pltf's request to set case on trial calendar, filed. hm	
10-15-73	Order filed that plntf's mot to consolidate hearing for prel. Inj. with trial on merits sustained; further request to set cause on next jury trial granted; further that plaintiff's motion to dismisss counterclaims sustained; further plaintiff's motion for S/J on issue of liability over-ruled. (AEB-J)h -copies mailed-	
10-24-73	Parties directed to hold PT Conference prior to 11-29-73 and file PT order not later than 12-6-73. (AEB-J)v -notices mailed.	
12-6-73	Mtn. for Addtl. Time to File PT Order, filed. jj 0 to J	
12-11-73	Order ect. time to file pretrial order to 12-13-73, filed. (AEB-J)g <i>mailed</i>	
12-13-73	Proposed Pre-Trial Order of Plaintiff, filed.jj	
12-14-73	Proposed Pre-Trial Order of Defendant, filed. v	
<i>Ready Jury.</i>		
3-4-74	Depo. of Wm. A. Martin, on behalf of Pltf, taken before Thomas G. Bloxom, on 2-12-74, with fees of \$37.00, filed. v	
3-4-74	Depo. of Kenneth R. Griffith & Wm. Wood, on behalf of Deft., and taken by Thomas G. Bloxom, on 2-12-74, with fees of \$45.00, filed. v	
4-19-74	MO; Ordered that this case is set for Jury Trial on Wed., May 8, 1974 at 10:00 a.m. (AEB-J)e	
4-29-74	Defts. Trial Brief, filed.jj	
4-29-74	Plaintiff's list of witnesses for trial, filed. rm	
5-6-74	Case Striken from jury Docket for May 8 and is reset for next jury Docket if not settled at that time. (AEB-J)s	
6-19-74	Case set for jury trial 7-22-74 at 9:30 a.m. (AEB-J)hm	
7-9-74	Notice of Taking Deposition, filed. Subpoena issued.k	
7-22-74	Motion to Dismiss, filed by Pltf. Con-Rad Division of U. S. Industries, Inc.k	
7-22-74	Motion to Dismiss, filed by Def., Shopmen's Local 620.k	

4-15 little papers in in 13 days.

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-22-74	Order, filed & entered, dismissing counterclaims by defendant, with prejudice. (AEB-J)g. cpies mailed	
7-22-74	Order, filed & entered, dismissing complaint & cause of action with prejudice, filed. (AEB-J)g cpies mailed	
8-5-74	<i>Amended Order & Counsel for Plaintiff</i>	